

A000000696

Middle and High School DISCIPLINE POLICY

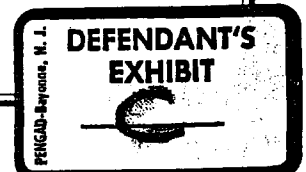
2001 - 2002



*Creating a climate of care and respect
as we
Redesign for Success*

Dr. James E. Barker, *Superintendent of Schools*

THE SCHOOL DISTRICT OF THE CITY OF ERIE, PENNSYLVANIA
148 WEST 21ST STREET
ERIE, PENNSYLVANIA 16502



E 000000094

A000000697

E 000000095

A000000698

TABLE OF CONTENTS

	<u>PAGE</u>
SUPERINTENDENT'S MESSAGE	i
INTRODUCTION	1
RIGHTS OF STUDENTS, PARENTS AND STAFF	2
Responsibilities of Students	3
Responsibilities of Parents/Guardians	3
Responsibilities of Teachers/Staff	4
Responsibilities of Administrators	4
STUDENT BEHAVIOR EXPECTATIONS	5
DISCIPLINARY PROCEDURES	7
A. Teacher Detention	7
B. Administrative Detention	8
1. After-School Detention	8
2. Saturday Detention	8
C. Program for After-School Suspension	8
D. Out-of-School Suspension	9
E. Alternative Education Program	9
1. Reasons for Referral	9
F. Expulsion	10
G. Peer Mediation/Conflict Resolution	10
H. Student Assistance Program (SAP)	10

E 000000096

A000000699

I.	Charges Filed with Police Department	10
J.	School-Based Juvenile Probation Program.....	10
THE CONTINUUM OF CONSEQUENCES.....		11
STUDENT BEHAVIOR.....		12
A.	Assault/Physical Acts of Violence.....	12
B.	Attendance	12
1.	Policy Statement	12
2.	Excused Absence	12
3.	Unexcused Absence	14
4.	Illegal Absence.....	15
5.	Truancy	16
6.	Miscellaneous Provisions Relating to Attendance.....	17
a.	Half-Day Absence.....	17
b.	Participation in School Activities	17
c.	Tardiness	18
d.	Homework and Assignments	19
e.	Leaving without Permission.....	19
f.	Class Cut.....	19
g.	Withdrawal.....	20
C.	Cheating/Plagiarism	20
D.	Classroom/Laboratory Safety	20
E.	Computer Misuse	21
F.	Detention.....	22

E 000000097

A000000700

G.	Disorderly Conduct.....	22
H.	Disrespect.....	23
I.	Electronic Devices	23
J.	Endangerment	24
1.	Arson.....	24
2.	Bomb Threat	24
3.	Riot.....	24
4.	Setting off False Fire Alarms	25
5.	Tampering with Fire Extinguishers.....	25
K.	Extortion	25
L.	False I.D.....	25
M.	Fighting.....	26
N.	Forgery.....	26
O.	Gambling.....	26
P.	Harassment.....	27
	Sexual Harassment.....	27
Q.	Insubordination	28
R.	Loitering.....	29
S.	Profane, Vulgar Language or Gestures	29
T.	Smoking	29
U.	Stealing	30
V.	Student Dress	30
W.	Student Parking.....	33

E 000000098

A000000701

X.	Student Transportation.....	33
Y.	Terroristic Threats/Terroristic Acts	34
Z.	Trespassing	35
AA.	Unauthorized Substances (Illegal Drug Policy).....	35
BB.	Vandalism	37
CC.	Weapons.....	38
DD.	Weapons Search with a Metal Detector.....	38
EE.	Zero Tolerance	39
GLOSSARY		41
SITUATIONAL CATEGORIES		47
HOTLINE NUMBERS		58

E 000000099

A000000702

Superintendent's Message

The School District, City of Erie, is committed to providing a safe, productive learning environment in each and every school. This Discipline Policy reflects the input of teachers, parents, and administrators all working together to identify the aspects that provide the elements needed for a discipline plan in a safe school.

The Board of Directors and this Superintendent will not tolerate any acts of violence in our schools, and any violation of this nature will result in swift and immediate consequences to perpetrators. The message is clear: **Erie Public Schools are focused on learning and any students who participate in aggressive acts that interfere with and are contrary to this objective will lose the privilege of attending school.**

Parents, students, teachers, and administrators, as responsible partners, must become familiar with the School District's Discipline Policy. This understanding will eliminate confusion about consequences and penalties resulting from infractions of the school rules. This policy will help ensure a fair, consistent, non-biased administration of discipline. All efforts must be directed towards improving the learning climate. The District will use all available resources to the fullest extent to ensure that interested students will have a safe place to learn.

I am confident that the Erie Public Schools has improved safety in its secondary schools and I assure you that the schools' primary mission is to provide a safe haven for learning. The Discipline Committee, by providing a more effective policy, has helped secure a more complete realization of producing a quality education in the safest of learning environments.

Should you have any questions regarding this plan, please contact your building principal and/or school counselor.

Sincerely,



Dr. James E. Barker
Superintendent of Schools

A000000703

E 000000101

A000000704

INTRODUCTION

The policies set forth in the Middle and High School Discipline Policy apply to students attending the following schools:

- | | |
|---|---------------------------------------|
| --Central High School, grades 9-12 | --Roosevelt Middle School, grades 6-8 |
| --Collegiate Academy, grades 9-12 | --Harding School, grades 6-8 |
| --East High School, grades 9-12 | --Wilson Middle School, grades 6-8 |
| --Strong Vincent High School, grades 7-12 | --Wayne Middle School, grades 6-8 |

The School District of the City of Erie is committed to excellence for all Erie Public School Students. It has established a discipline policy, not as a means of punishment, but rather as a set of consequences to improve the student's behavior.

The contents of this policy are presented in alphabetical order. There is a glossary of terms at the end of the policy. Situational categories are presented following the acknowledgments. Levels are assigned to each infraction with the exception of: Assault/Physical Acts of Violence, Endangerment, Sexual Harassment, Illegal Drugs/Alcohol, Terroristic Threats/Terroristic Acts and Weapons. These infractions will result in immediate removal pending placement in an Alternative Education Program or expulsion from the School District of the City of Erie by the Board of Directors. Other infractions, such as extortion and stealing will be dealt with as the severity dictates. **AS PROVIDED BY SECTION 510 OF THE PENNSYLVANIA PUBLIC SCHOOL CODE, ALL DISCIPLINARY INFRACTIONS APPLY TO STUDENT BEHAVIOR WHEN STUDENTS ARE GOING TO AND RETURNING FROM SCHOOL, AND AT ALL SCHOOL-SPONSORED ACTIVITIES INCLUDING GRADUATION, DANCES, FIELD TRIPS, ETC.**

In the event a student continues to commit violations beyond the offenses listed, disciplinary penalties may be increased progressively and may be treated immediately as a second or third offense. In the event that multiple violations are committed during the same incident, discipline will be administered based upon the most serious violation. These measures will not only create and maintain a safe environment within the school building for all students, but will also insure the safety of students coming to and going from school.

Those infractions which are in violation of the legal codes could result in adjudication by various law enforcement agencies.

Prior to imposing consequences, each infraction will be thoroughly investigated by school building administrative staff, current student discipline records will be reviewed, and parent/student/staff conferences will be scheduled to discuss the problem and disciplinary action. STUDENTS MAY BE REFERRED FOR COUNSELING VIA THE SCHOOL COUNSELOR, STUDENT ASSISTANCE PROGRAM (SAP), OR OTHER COUNSELING SERVICES. Chronic attendance problems will be addressed through Saturday Detention, Program for After-School Suspension (P.A.S.S.) and the District Justice.

Student discipline records will remain a part of the student's permanent files. When a student transfers to this school district, a certified copy of the student's discipline record is

A000000705

requested and obtained from the school entity from which the student is transferring. The same is true when a student transfers out of the Erie School District. This record shall be maintained as part of the student's permanent discipline record and shall be made available for inspection as required by law.

School officials have the authority to search a student when they have reasonable suspicion that a particular student has violated or is violating the rules of the School District of the City of Erie or the law.

Any negative behavior not detailed in this policy will be dealt with by the appropriate administrator using the categories of discipline enumerated below.

Categories of disciplinary action could include:

- A. Teacher Detention
- B. Administrative Detention (After-School, Saturday Detention)
- C. Program for After-School Suspension (P.A.S.S.)
- D. Out-of-School Suspension (O.S.S.)
- E. Alternative Education
- F. Expulsion
- G. Peer Mediation/Conflict Resolution
- H. Student Assistance Program
- I. Charges Filed with Police Department
- J. School-Based Juvenile Probation Program

Each school in the School District of the City of Erie, Pennsylvania, may establish its own reward system for the improvement of student behavior. These rewards may include appropriate movies, special assemblies, and periodic drawings for donated prizes. An educational action plan for understanding the Disciplinary Policy has been designed to involve **parents, students and staff.**

RIGHTS OF STUDENTS, PARENTS, AND STAFF

The rights of students, parents, and staff are those guaranteed to all citizens in accord with the Constitution of the United States, the laws of the Commonwealth of Pennsylvania, and the rules and regulations of the Pennsylvania Department of Education.

A DEMOCRATIC NATION ACQUIRES ITS STRENGTH THROUGH THE ABILITY OF THE CITIZENS TO MAKE CHOICES, PARTICIPATE IN THE DECISION-MAKING PROCESSES, EXPRESS THEMSELVES IN A FREE AND CONSTRUCTIVE MANNER, INQUIRE INTO THE OPERATION OF EDUCATIONAL AND RELATED INSTITUTIONS, AND IMPLEMENT PROCEDURES WHICH BRING ABOUT IMPROVEMENT IN THE QUALITY OF INDIVIDUAL AND COMMUNITY LIFE. THE EDUCATIONAL PROCESS IN THE SCHOOLS MUST BECOME THE VEHICLE BY WHICH THE MEANINGFUL PRINCIPLES OF DEMOCRACY ARE BOTH TAUGHT AND PRACTICED. IN ASSURING

A000000706

THIS VIABLE OBJECTIVE, SCHOOL OFFICIALS MUST ASSURE THAT ADVICE, COUNSEL AND SUPERVISION ARE PROVIDED TO STUDENTS AS THEY PROGRESS FROM A STATE OF IMMATURITY AND INDECISIVENESS TO A STATE OF MATURE AND RESPONSIBLE DECISION-MAKING INVOLVEMENT.

RESPONSIBILITIES OF STUDENTS:

1. Accept each person as an individual human being and promote intercultural and group relations and understanding.
2. Apply abilities and interests to the improvement of a knowledge base and to the development and application of learning skills.
3. Recognize and function within the policies established by the School Board and school officials.
4. Attend school for the purpose of obtaining a quality and meaningful education.
5. Abide by rules and regulations necessary for the orderly conduct of school activities by the administration and faculty.
6. Implement and abide by rules and regulations developed through the cooperation of student-faculty committees.
7. Contribute cooperatively toward the improvement of the teaching-learning situation and strive for the overall betterment of the total school environment.
8. Maintain respect for school officials and other students and exhibit conduct reflecting self-control, self-regulation and self-discipline.

RESPONSIBILITIES OF PARENTS/GUARDIANS:

1. Exemplify an enthusiastic and supportive attitude toward work and education.
2. Build a good working relationship between themselves and school personnel.
3. Teach their children self-respect, self-control, respect for the law, respect for others and the property of others, and accountability for their actions.
4. Insist on prompt and regular attendance.
5. Encourage their children to take pride in their appearance.
6. Cooperate with the school in jointly resolving school-related problems.
7. Become involved in the school.
8. Set realistic standards of behavior for their children.
9. Help their children to develop skills to withstand negative peer pressure.
10. Provide a place conducive for study and the completion of homework assignments.
11. Motivate their children to develop a keen interest in learning and exploring multiple fields of knowledge.
12. Review the Discipline Policy as a family, being especially aware of attendance, discipline, and Zero Tolerance policies.
13. Make sure that their children are in good health. Good health is essential to ensure effective classroom performance.
14. Learn all they can about the curriculum and curriculum activities.
15. Attend parent/teacher conferences, parent/teacher organization meetings, and special events sponsored by the school.

A000000707

16. Be aware that they are responsible should their children have any financial obligations. These include, but are not limited to, lost books, fines, and damage of property.

RESPONSIBILITIES OF TEACHERS/STAFF:

1. Promote a climate of mutual respect and dignity which will strengthen the student's self-image.
2. Utilize classroom strategies and techniques that contribute to student success.
3. Teach students the skills to become responsible citizens.
4. Honor "Time on Task." This helps tremendously in preventing most discipline problems.
5. Stay close enough to students so as to know what they are doing.
6. Always stand outside their doors to greet students, and to say goodbye to them.
7. Reflect a personal enthusiasm for teaching and learning as well as a genuine concern for the individual student.
8. Guide classroom activities as students learn to think and reason, to assume responsibility for their actions, and to respect the rights of others.
9. Help students to cope with negative peer pressure.
10. Be sensitive to changing behavioral patterns.
11. Strive for mutually respectful relationships with students.
12. Assist students and administrators in developing a climate in the school that is conducive to wholesome learning and living.
13. Report immediately to the principal any student who may jeopardize his/her own safety, the safety of other students, the safety of teachers, or who seriously interferes with the instructional program of the classroom as required by the Student Code of Conduct.
14. Serve as surrogate parents/guardians in matters of behavior, discipline and academics in accordance with Pennsylvania School Law.
15. Interpret and review the discipline policy with students in class/advisory period/homeroom.
16. Be fair, firm, and consistent in enforcing the Discipline Policy in the classroom, in the hallway, in the restrooms, on school transportation, on the school campus, and at all school-sponsored activities.

RESPONSIBILITIES OF ADMINISTRATORS:

1. Promote a climate of mutual respect and dignity which will strengthen the students' self-image.
2. Reflect a personal enthusiasm for teaching and learning as well as a genuine concern for the individual students.
3. Develop procedures which reduce the likelihood of student misconduct.
4. Make sure that all incidents are carefully and thoroughly investigated.
5. Provide the opportunity for students, staff, and parents to approach the administrator directly for redress of grievance.
6. Develop close, cooperative relationships with parents for the educational benefit of students.

A000000708

7. Utilize all appropriate auxiliary staff and community agencies to help parents and students identify problems and seek solutions.
8. Be fair, firm, and consistent in all decisions affecting students, parents, and staff.
9. Demonstrate, by word and personal example, respect for law and order, self-discipline, and a genuine concern for all persons.
10. Strive for mutually respectful relationships with students.
11. Establish and maintain building security.
12. Assume responsibility for the dissemination and enforcement of the discipline policy.
13. Comply with pertinent laws governing hearings, suspensions, and the rights of students.
14. Support teachers and parents in their effort to enforce discipline policy.

STUDENT BEHAVIORAL EXPECTATIONS

1. **ARRIVE TO SCHOOL AND CLASSES ON TIME. HOMEROOM IS VERY IMPORTANT.** It is in homeroom where information is shared with students and staff and attendance accounting is initiated.
 - a. Each student and staff stands to pledge allegiance to the flag of the United States and remains standing for a moment of meditation.
 - b. Listen to all announcements and respect the rights of others to listen. Review the weekly schedule.
 - c. Follow the rules of conduct posted in each homeroom/classroom.
2. **REPORT TO CLASS WITH NECESSARY BOOKS, MATERIALS, SUPPLIES, AND ASSIGNMENTS.** Sit in seat immediately and prepare for the course work.
 - a. The teacher acknowledges all administrative announcements in the classroom.
 - b. Refrain from sleeping in class. This is unacceptable.
 - c. Refrain from putting feet on the desks and chairs.
 - d. **REFRAIN FROM EATING AND DRINKING IN CLASS.**
 - e. Stay on academic tasks until the end of the class period. **NO ONE SHOULD BE IN THE DOORWAY WAITING FOR THE BELL TO RING.**
3. **MOVE THROUGH THE BUILDING IN AN ORDERLY MANNER.** Refrain from running and yelling.
 - a. Use "inside voice" when talking to teachers and peers.
 - b. When walking in the halls, stay to the right.
 - c. If there is a fire drill or disaster of any kind, follow directions and move silently.
4. Use daily planner for class assignments.

A000000709

5. USE CLIPBOARD/HALL PASS APPROPRIATELY. A hall pass is for one student and it must be signed by the teacher.
6. LIMIT DISPLAY OF AFFECTION.
7. FOLLOW LUNCH SCHEDULE AND RULES. Lunch is a time for fellowship with peers. Use "inside voice".
8. DRESS CODE. The student is expected to be mature enough to exercise good judgment in the selection of appropriate clothing for school. Clothing must be neat, clean, and tasteful. Outdoor clothing such as coats, jackets, hats, and gloves are not permitted to be worn during the school day. No one is permitted to wear tank tops or cutoffs; pants should be secured around the waist. Bare midriffs are not permitted. Clothing with suggestive or derogatory pictures, phrases, of advertising of alcohol, tobacco, or drugs are not to be worn. Bandannas, headbands, and hats are not to be worn anywhere in school. In questionable situations, the administration will make the final decision about what constitutes appropriate dress for school. **The administration may impose additional limitations on dress if the attire causes a disruption of the educational process or constitutes a health or safety hazard.**

NOTE: Specific schools within the District have opted to adopt a Mandatory Dress Code Policy. The provisions of the Mandatory Dress Code Policy supersede these general provisions regarding student dress for those schools which opted to adopt the Policy.

9. SMOKING. The use or possession of tobacco products is prohibited in a school building, a school bus or on school property owned by, leased by or under the control of the school district. (Smoking on school property is also prohibited under Section 28.3 of the Fire Code.) Pursuant to 18 Pa. C.S.A. 6306.1 of the Pennsylvania Crime Code, a pupil conviction of the summary offense of using or possessing tobacco in a school building, a school bus or on school property owned by, leased by or under the control of the school district, shall be sentenced to pay a fine up to \$50.00, plus court costs.
10. LOCKERS AND LOCKS. Students are given the privilege of being assigned a specific locker in which to store school materials and personal property during school hours. Students are allowed and are encouraged to keep their assigned lockers secure and locked to safeguard their belongings from other students. However, students must understand it is not the intent of the School District to relinquish its exclusive control over the locker.

All lockers are and shall remain property of the School District. Accordingly, students shall have no expectation of privacy in their school lockers. Students are hereby notified that all authorized School District employees and officials may inspect students' lockers at any time, for any reason.

A000000710

In order to be granted the privilege of having the use of a school locker, the student at the beginning of each school year will be required to sign an acknowledgment which asserts that they have reviewed the locker search policy and they understand they have no reasonable expectations of privacy in their school lockers. Additionally, the students must give to their advisors the combination/extra key to the lock which they use on their school locker. Students are not allowed to share lockers or use lockers not assigned by their advisors. Students should bring a strong lock to school, preferably a lock with a key.

Most locker thefts are the result of carelessness on the students' part. REMEMBER TO LOCK THE LOCKER. DO NOT GIVE KEYS OR COMBINATIONS TO OTHER STUDENTS. If a lock has to be removed by the custodial staff, the student must obtain a permission slip from the homeroom teacher and have it signed by an administrator verifying that the locker is assigned to the student.

11. SETTLE CONFLICTS APPROPRIATELY. Keep your hands and feet to yourself.
12. USE APPROPRIATE LANGUAGE.
13. RESPECT SCHOOL PROPERTY AND THE PROPERTY OF OTHERS.
14. RESPECT YOUR PEERS.
15. RESPECT THE STAFF AND VISITORS.
16. RESPECT YOURSELF.
17. END OF THE SCHOOL DAY. All students must leave the building by 3:10 PM unless supervised by a member of the staff.

DISCIPLINARY PROCEDURES

Categories of disciplinary action could include any of the following:

- A. **Teacher Detention** - Teacher detention is a first line method of attempting to formally correct inappropriate behaviors in the classroom. The student must report to the assigned room with appropriate materials as determined by the teacher. A detention notice will be issued to the student 24 hours in advance notifying parent/guardian of date, time and reason for detention. A reasonable amount of time and number of days will be determined by the respective teacher. Parent/guardian will be responsible for transportation at the conclusion of detention. Failure to serve Teacher Detention after two notices will result in Administrative Detention(s).

A000000711

B. Administrative Detention

1. **After-School Detention** - student is assigned forty (40) minutes of After-School Detention by the appropriate administrator or her/his designee. The student must report to the assigned room on time with schoolwork or academic reading materials. The parent will be contacted by the appropriate administrator. The student will be assigned a date to serve this detention. Parents/students will be given a twenty-four (24) hour notice. Failure to serve this assigned After-School Detention will result in the student being assigned Saturday Detention. Parents are responsible for student's transportation
2. **Saturday Detention** - student is assigned three (3) hours (9:00 AM - 12:00 PM) of detention on Saturday by the appropriate administrator or her/his designee. The student must report to the assigned room on time with schoolwork or academic reading materials. The parent will be contacted by the appropriate administrator. The student will be assigned a date to serve this detention. Parents/students will be given a twenty-four (24) hour notice. Failure to serve this assigned Saturday Detention will result in the student being given a minimum of three (3) days in the Program for After-School Suspension. (P.A.S.S.) Parents are responsible for student's transportation.

C. Program, for After-School Suspension - Monday through Friday from 3:30 PM to 6:30 PM. The student is assigned to the Program for After-School Suspension (P.A.S.S.) for minimum of three (3) days. Classroom teachers will make assignments to be completed during the time there. The student is excluded from participation in all school-sponsored activities including, but not limited to, sports events, band activities, academic challenges, and cooperative work experience. The student will be released from the Program for After-School Suspension (P.A.S.S.) upon completion of all work assignments or per the P.A.S.S. administrator. Failure to attend the Program for After-School Suspension (P.A.S.S.) will result in the student being assigned the same number of days O.S.S. and may be referred to the District Justice for further action. Parents are responsible for student's transportation. **STUDENTS ASSIGNED PASS BECAUSE OF ATTENDANCE PROBLEMS WILL ATTEND ALL REGULAR CLASSES IN ADDITION TO P.A.S.S. AT THE END OF THE SCHOOL DAY (I.E., ILLEGAL/UNEXCUSED, ABSENCES, TARDIES, CLASS CUTS, LEAVING SCHOOL WITHOUT PERMISSION.)**

Any student who leaves P.A.S.S. without permission or is sent out of P.A.S.S. for failure to follow rules, will be given a minimum of three (3) to ten (10) days O.S.S. Charges may be filed. A conference will be held with parent and student. Any days missed from P.A.S.S. as a result of walking out of P.A.S.S. will be counted as illegal or unexcused. Parents are responsible for student's transportation.

A000000712

- D. Out of School Suspension (O.S.S.)** - student is suspended from school for a period of three (3) to ten (10) days pending placement in the Alternative Education Program or other recommendations as per the administrator, and is in the custody of the parent/guardian from 8:10 AM to 3:00 PM. The appropriate Guidance Counselor will arrange for classroom assignments and parents may pick up assignments at the school office. Teachers must be given one day to prepare assignments. Students are not permitted on school grounds during the suspension and are excluded from participation in all school-sponsored activities including, but not limited to, sports events, band activities, academic challenges, and cooperative work experience. A conference will be held with the parent, student, and appropriate staff.
- E. Alternative Education Program** - the Alternative Education Program serves as an intervention, the focus being on the development of pro-social behaviors. The program staff works with students in grades six through twelve whom have been removed from the regular school schedule because of serious disruptive behavior. Serious disruptive behavior is defined as assaultive behavior, behavior in violation of the weapon policy, or behavior in violation of the terroristic threats/terroristic acts policy. Other serious patterns of disruptive behaviors are determined by the Assistant Superintendent of Schools. While participating in the Alternative Education Program, needs are addressed through a behavioral assessment, behavior management techniques, individual counseling, and group therapeutic and psychoeducational exercises as prescribed in the Individual Behavioral Plan. The students' academic needs are served through multiple strategies based on a complete instructional evaluation and defined academic needs. The focus of the educational program is to provide the skills and knowledge necessary to be successful in the school setting and to concurrently provide life skills instruction and career guidance. The length of stay in the program will be based on the progress toward achieving the educational and behavioral goals outlined in the individual plan. **Students who violate their AEP contract will be recommended to the School Board for expulsion.**

1. Reasons for Referral

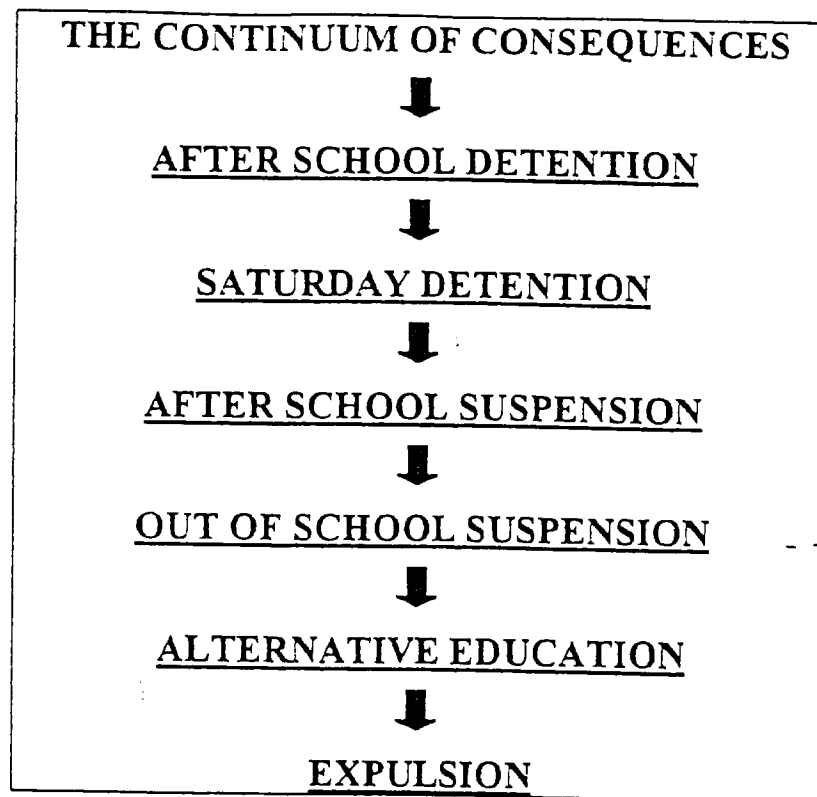
- a. Students may be referred to the Alternative Education Program for the following reasons:
- (1) Students will be removed from their regular school because of serious disruptive behavior. Serious disruptive behavior is defined as assaultive behavior, behavior in violation of the weapon policy (not to supplant the expulsion policy), or behavior in violation of the terroristic threats/terroristic acts policy.
 - (2) Chronic patterns of disruptive behavior, where school interventions have failed, may result in petitioning the

A000000713

Assistant Superintendent for placement in Alternative Education.

- (3) Violations of the District drug and alcohol policy that specify placement in Alternative Education.
 - (4) Students returning from placement by the Juvenile Court for delinquent behaviors. Each case should be reviewed to determine appropriateness of placement.
- F. **Expulsion** - Expulsion is the consequence of a violent act including carrying or concealing a weapon on any school property, at any school-sponsored activity, or on any public conveyance providing transportation to a school or school-sponsored activity. The act is investigated by the School Board. A formal hearing will be conducted by members of the School Board to decide on a student's status. **Students who are expelled may not attend or participate in any school activities/events including Graduation and Proms.**
 - (1) Students who have been expelled may petition the Superintendent (after one year) for return to the District through the Alternative Education Program.
- G. **Peer Mediation/Conflict Resolution** - This program is designed to create an awareness with students as to how to resolve differences by talking about them and by finding ways to control their anger. This process is used as a method of solving problems which arise among students before these problems reach a point where violence is likely.
- H. **Student Assistance Program (SAP)** - The Student Assistance Program process of working in concert with mental health and drug and alcohol providers maximizes the possibility that a student's problems are properly identified and that the student receives the appropriate services needed to improve his/her prognosis for educational success. The problems that at-risk students face are not always limited to school problems. Students may require services or support outside the realm of the school environment. SAP has proven to reduce student at-risk problems both in and out of the school environment.
- I. **Charges Filed with the Police Department** -any behavior which is in violation of civil or criminal law will be dealt with as the law permits.
- J. **School-Based Juvenile Probation Program** - school-based probation officer supervises the probation students with the focus on developing and implementing treatment and behavioral goals as designed with the student, parents, and the school. In addition, supervision includes compliance with court-ordered conditions and response to behavioral problems as reported by the school. School based probation officers are regular members of the Student Assistance Program (SAP). As a member of the SAP team, the school based probation officer works closely with other team members with regard to probation clients.

A000000714



All categories of suspension are served by the continuum.

Chronic attendance problems will be addressed through Saturday Detention, Program for After-School Suspension (P.A.S.S.), and the District Justice.

Students who have attendance problems will attend regular classes and report to the After-School Suspension Program (P.A.S.S.) from 3:30 p.m. until 6:30 p.m.

Non-compliance with prescribed consequence moves the student along the continuum.

Structure of After-School Suspension includes academics and counseling.

A000000715

STUDENT BEHAVIOR

All provisions regarding student behavior are applicable to students while on school property, at any school-sponsored activity (including graduation, dances, field trips, etc.), on any public conveyance providing transportation to a school or school-sponsored activity, and to students going to and returning from school. Depending on the severity of a student's behavior, any student behavior offense may be treated as a second or third offense. Offenses addressing student behavior are as follows:

- A. **ASSAULT/PHYSICAL ACTS OF VIOLENCE - ZERO TOLERANCE** - the deliberate or reckless attempt to cause or the actual causing of physical pain or injury to another or the deliberate or reckless attempt by physical menace to put another in fear of imminent physical pain or injury.

A student who assaults or commits a physical act of violence on another student or any school personnel will be given ten (10) days Out-of-School Suspension (O.S.S.) and will be referred to the Board of Education of the School District of the City of Erie for discipline up to and including expulsion. Charges must be filed with the appropriate law enforcement agencies. A conference will be held with the parents, student, and appropriate staff. **The student who is expelled may not participate in any school events, including proms and graduation.**

- B. **ATTENDANCE** - "Attendance" is the presence of a student on days school is in session. "Absence" is the failure of a student to attend school on those days, half days and hours school is in session. Attendance shall be required of all students enrolled in the schools during the days and hours that school is in session, except when the absence is "excused" as set forth below.

1. **POLICY STATEMENT:** The Board of Directors of the School District of the City of Erie, Pennsylvania requires that school-aged students enrolled in the schools of this District attend school regularly in accordance with the laws of the state. The educational program offered by this District is predicated upon the presence of the student and requires continuity of instruction and classroom participation. The regular contact of students with one another in the classroom and participation in well-planned instructional activity under the tutelage of a competent teacher are vital to this purpose. As the Board believes there is an educational nexus between classroom presence and grading and that class attendance is relevant to the pupils' overall performance and grades, it is the policy of the Board that pupils who are "truant" or have missed class due to unexcused or illegal absences will receive a "0" for the class for the days which were actually missed by the pupil.

2. **EXCUSED ABSENCE** - An "excused absence" includes the absence of a student for any of the following reasons:

- a. **Illness**—If ill, the student must obtain a pass from the teacher to see the nurse. If necessary, a parent will be contacted by the nurse and the student

A000000716

is given written permission to be excused to go home. The nurse must inform the attendance office of the illness. Additionally, the school administration may require that a student provide a medical statement or excuse from a licensed practitioner of the healing arts for every absence from school subsequent to that student having accumulated absences of ten (10) school days in any school term. Failure to provide the requested medical excuse may result in such absence being classified as unexcused and/or unlawful depending upon the age of the student. Forms for medical excuses are available in the school office.

- b. Death in the family
- c. Religious holidays and religious instruction (with religious instruction limited to a total of not more than 36 hours per school year)
- d. Impassible roads
- e. Emergency
- f. Delay or absence of school bus
- g. Educational tour/trip
- h. Quarantine
- i. Family vacation - forms are available in the main office and counselors' office. Two weeks' notice is required.
- j. Court appearance
- k. College visitation
- l. Junior/Senior excusal for interviews— When students have a written invitation or appointment to go for a job interview, college admission, nurses' training, trade or technical school as well as other post high school plans, they may be excused for a total of three (3) days during their Junior/Senior year. The student is to obtain a permission slip from the appropriate guidance counselor and have this completed before the day she/he is to be excused. After the appropriate counselor gives permission, the counselor sends a copy of the same to the attendance secretary. For early morning appointments, the request from the parent may be brought the day prior to the appointment.
- m. Dental and Medical Appointments-- Students who wish to leave the school for dental or medical appointments are required to bring a note from the parent and an appointment card from the doctor to the school office for written approval by the appropriate administrator to be excused from class. This should be done before the homeroom bell on the day of the

A000000717

appointment. STUDENTS/PARENTS ARE ASKED TO SCHEDULE MEDICAL APPOINTMENTS AFTER SCHOOL AS MUCH AS POSSIBLE. For early morning appointments, the request from the parent may be brought the day prior to the appointment. The approved excuse is then taken to the Attendance Office where the student's name is entered on the sign-out sheet and an excusal form is given to the student. The student should request that the doctor sign, date, and give the time of the appointment. **This form must be returned to the Attendance Office upon the student's return to school, or the absence from school will be considered UNEXCUSED.** When a student returns from an appointment, she/he will receive an admit slip to class from the Attendance Office. This admit slip should be retained by the student and should be presented to and signed by all teachers whose classes were missed to verify the absence as excused. Students are expected to return to school from an appointment in a reasonable amount of time.

- n. Home Tutored Instruction--The parent must secure a form from the building principal for the doctor to complete. The form must be returned to the building administrator in charge of attendance. (The form will be sent to the Director of Special Education and it must be approved by the Director of Special Education).

All home tutored assignments, books, materials and return of materials must be coordinated through the appropriate counselor, who works directly with the Director of Special Education and Data Services.

Excused absences are not to be considered perfect attendance. The only exceptions to this policy are: school related field trips, sports, absence from school for religious instruction, and the days when there is severe weather whereby the Superintendent says to the parents via the media, "Use your discretion in sending your child to school." No other exceptions are made.

Parents are requested to call the Attendance Office by 9:00 AM to verify all excused absences or excused tardies. When a student returns to school, she/he presents a written note to the homeroom teacher giving the **student's full name, grade, and homeroom, listing the dates of absence and detailing the reason(s) for the absence.** The parent or guardian signs and dates the note and indicates the home phone number.

- 3. **UNEXCUSED ABSENCE** – An "unexcused absence" is the absence of a student who is beyond compulsory school age (17 years or older) for one of the following reasons:
 - a. Parental neglect - parent knows of the absence (examples: unauthorized trips, baby-sitting, errands, housework, oversleeping).

A000000718

- b. Truancy - leaving school during school hours without school authorization *or absence from school for reasons other than those defined as legally excused.*
- c. Hunting

Disciplinary consequences for unexcused absences are as follows:

- (1) First Offense - Saturday Detention. A conference will be held with the parent, student and appropriate staff. A "0" will be given in all classes in which a student has an unexcused absence.
- (2) Second Offense - three (3) days Program for After-School Suspension. (P.A.S.S.) A conference will be held with the parent, student, and appropriate staff. The counselor will design and monitor an individualized plan for student achievement. A "0" will be given in classes in which a student has an unexcused absence.
- (3) Third and Succeeding Offense - five (5) days Program for After-School Suspension. (P.A.S.S.) A conference will be held with the parent, student and appropriate staff. A "0" will be given in classes in which a student has an unexcused absence.

Students who are beyond compulsory education age are not subject to the truancy provisions of the Pennsylvania Public School Code. However, the administrative response to unexcused absences, in addition to the disciplinary consequences outlined above, shall be as follows:

- (1) After three (3) days of unexcused absences, the school shall notify the parent, in writing, of the unexcused absence. This shall be the first warning.
- (2) When the next unexcused day of absence occurs, the school shall notify the parent of the unexcused absence and request the parent to attend a conference to discuss the reasons for the absence. The parent, student, and school administrator shall agree on a pattern of regular school attendance. As a result of this conference, the attendance of the student will be monitored for a period of twenty (20) school days.

- 4. **ILLEGAL ABSENCE** An "illegal absence" is an absence from school for all students of compulsory school age (8 - 16 years) for reasons other than those defined as "legally excused."

A000000719

- a. First Offense - Saturday Detention. A conference will be held with the parent, student and appropriate staff. A "0" will be given in all classes in which a student was illegally absent.
 - b. Second Offense - three (3) days Program for After-School Suspension. (P.A.S.S.) A conference will be held with the parent, student, and appropriate staff. The counselor will design and monitor an individualized plan for improving achievement. A "0" will be given in all classes in which a student was illegally absent.
 - c. Third and Succeeding Offense - five (5) days Program for After-School Suspension. (P.A.S.S.) A conference will be held with the parent, student, and appropriate staff. Referral will be made to Children and Youth Services, and a Truancy Report filed. Police contact may be made. A "0" will be given in all classes in which a student was illegally absent.
5. **TRUANCY**—In addition to any disciplinary consequences imposed by the School District on students who have acquired illegal absences, compulsory aged students (years 8-16) must comply with the compulsory education/truancy provisions of the Pennsylvania Public School Code. The following procedure will be followed:
- a. First Notice—A First Notice shall be served on the student's parent(s)/guardian as soon as a student has accumulated three (3) days of illegal absences. It remains a First Notice until three (3) calendar days have elapsed after legal notice has been served on the parent(s)/guardian.
 - b. Second Notice—The next illegal absence after the First Notice is closed becomes a second offense and the appropriate administrator will serve a Second Notice on the student's parent(s)/guardian. Upon serving the Second Notice on the student's parent(s)/guardian, charges will be filed with the District Justice.
 - c. Hearing before District Justice—After charges are filed with the District Justice, the student's parent(s)/guardian will receive notice of a hearing before the District Justice. Both the truant child and the parent(s)/guardian must appear at the hearing. If the parent(s)/guardian show that they took reasonable steps to ensure the attendance of the child, they will not be convicted of a summary offense.
- (1) Upon conviction of a summary offense for failure to comply with compulsory attendance laws, the truant student's parent(s)/guardian will be sentenced to pay a fine, not to exceed three hundred dollars (\$300.00), and must pay court costs or be sentenced to complete a parenting education program.

A000000720

- (2) If the parent(s)/guardian are not convicted, and the child continues to be truant and has reached the age of thirteen (13), and has been convicted to violating the compulsory attendance laws:
 - (a) the child can be fined up to \$300.00 or be assigned to an adjudication alternative program; and
 - (b) the Pennsylvania Department of Transportation (PennDOT) will suspend the child's driving privileges for 90 days.
 - (c) If the child is convicted of a second or subsequent violation, PennDOT will suspend the child's driving privileges for six months.
 - (d) If the child convicted of a violation of compulsory attendance laws is unlicensed, that child will be ineligible to apply for a learner's permit or driver's license for 90 days after a first offense, or for six months after a second or subsequent offense. If the child is under sixteen years of age when convicted, suspension of operating privileges will commence upon the child's sixteenth birthday.

6. **MISCELLANEOUS PROVISIONS RELATING TO ATTENDANCE**

a. **HALF-DAY ABSENCE**

- (1) All schools will use 11:35 AM as the cut-off point between the AM and PM sessions.
- (2) Tardies will be recorded up to the first thirty (30) minutes in each AM or PM session. (Ex. Absences from 8: 10 to 8:40 are recorded as tardy. Absences from 11:35 to 12:05 are recorded as tardy.)
- (3) Students reporting to school after the thirty-minute time limit for tardies will be counted as absent for the half-day session missed and an excuse will be required. Students who are excused early and return to class are not to be marked absent.
- (4) Students excused to leave the building, but not returning to attend the PM session, will be counted absent for that session and an excuse will be required.

- b. **PARTICIPATION IN SCHOOL ACTIVITIES** - Any student not in school by 11:35 AM WILL NOT BE PERMITTED to participate in any school activity that day. This rule does not apply to those students who receive pre-approval from the appropriate school administrator for the reasons stated above, or other reasons as determined by the administration.

A000000721

c. **TARDINESS**

- (1) **Homeroom** - The homeroom teacher will document on the student's scan sheet when a student accumulates three (3) unexcused tardies for homeroom (excused/unexcused is verified by giving the student three (3) days to bring in the excuse and determining if the excuse is "excused" or "legal.")
- (2) **School/Class** - A student who is tardy to school after homeroom must report directly to the Attendance Office where a tardy/excuse form will be completed and given to her/him. This form must be presented to all teachers by the student for their signature.

ANY STUDENT WHO DOES NOT REPORT TO HOMEROOM OR THE ATTENDANCE OFFICE BUT ATTENDS CLASS WILL BE COUNTED AS IF ILLEGALLY ABSENT (OR UNEXCUSEDLY ABSENT) FOR THE DAY.

- (3) **Unexcused tardies** after homeroom to school or class will be dealt with as follows:
 - (a) First, second, fourth, sixth, seventh, ninth unexcused tardy - Teacher Detention will be assigned by the homeroom/classroom teacher.
 - (b) Third unexcused tardy - student is referred for Administrative Detention (after school).
 - (c) Fifth unexcused tardy - Saturday Detention. Conference with student, parent and appropriate staff.
 - (d) Eighth unexcused tardy - three (3) days Program for After-School Suspension (P.A.S.S.) Conference with student, parent, and appropriate staff. The counselor will design and monitor an individualized plan for improving student achievement.
 - (e) Tenth unexcused tardy and repeat offenders - five (5) days Program for After-School Suspension (P.A.S.S.) Conference with student, parent, and appropriate staff.

Repeat offenders may be referred to the Student Assistance Program or to the District Justice for legal action.

Should a student be tardy for an excused reason, she/he must, within two (2) school days, make up whatever work was missed during this time or she/he will be given a "0".

A000000722

- d. **HOMEWORK AND ASSIGNMENTS**—When a student is absent (excused), a homework assignment request must be made by parents through the appropriate counselor. At least one day (24 hours) prior notice should be given for instructors to gather all materials requested.

Requests are presented to teachers by the appropriate counselor. Teachers will then send assignments to the appropriate counselor. The counselor will document that the assignments were received and given to the secretary. Parents may pick up assignments in the office during regular school hours.

After returning to school, the student will have no more than then (10) school days to complete all schoolwork.

- e. **LEAVING WITHOUT PERMISSION** - Unless the student has a Parent Permission Form signed by the parent, she/he is not to leave the building for any reason. (If the student forgot to return the permission form, an administrator may call the parent, documenting permission received by phone.) The Permission Form must be approved by the appropriate administrator and taken to the Attendance Office. The Attendance Office will verify the permission slip with the parent/doctor and issue an early excusal slip. This slip should be retained by the student and should be presented to and signed by all teachers whose classes are missed to verify the absence as excused.

Under no circumstances should a student call home and ask her/his parents to come and take her/him home. When necessary such calls should be made by the school nurse or the appropriate administrator.

A student found to have left school property without written permission by the appropriate administrator will be considered illegally absent or unexcusedly absent, as defined above, for the time not in attendance. Again, a "0" will be given for all classes for which the student is illegally or unexcusedly absent.

- f. **CLASS CUT** - absence from class without the knowledge and prior written permission of the teacher whose class will be missed. The teacher who requests the presence of the student should write the note and give it to the student to get the required signature.

(1) First Offense - Saturday Detention. A conference will be held with the parent, student and appropriate staff. A "0" will be given in all classes from which the student was absent.

(2) Second Offense - three (3) days Program for After-School Suspension. (P.A.S.S.) A conference will be held with the parent, student and appropriate staff. The counselor will design and monitor an individualized plan for improving student achievement.

A000000723

A "0" will be given in all classes from which the student was absent.

- (3) Third and Succeeding Offenses - five (5) days Program for After-School Suspension. (P.A.S.S.) A conference will be held with the parent, student and appropriate staff. A "0" will be given in all classes from which the student was absent. Charges may be filed with the appropriate law enforcement agencies. Possible fine and court costs.

g. **WITHDRAWAL**—If a student is absent from school for ten consecutive school days, that student shall be removed from the active membership roll unless one of the following occurs:

- (1) The District has been provided with evidence that the student's absence may be legally excused, OR
- (2) Compulsory attendance prosecution has been or is being pursued.

C. **CHEATING/PLAGIARISM**

1. **CHEAT** - to deceive, deprive by fraud, pretend, or obtain property by distortion of the truth, swindle, or all the above.
2. **PLAGIARIZE** - to steal and pass off as one's own the ideas or words of another; to present as one's own idea or product derived from an existing source.
- a. First Offense - any student observed or found guilty of cheating, that is copying, aiding or abetting another student or plagiarizing another's work will receive a "0" for the assignment/ test. Saturday Detention will be assigned. A conference will be held with the parent, student., and appropriate staff.
- b. Second Offense - will result in failure of the course for the marking period. The student will be given a minimum of three (3) to five (5) days in the Program for After-School Suspension. (P.A.S.S.). The student will be referred to the Student Assistance Program. A conference will be hold with the parent, student, and appropriate staff.
- c. Third Offense - student will be given a minimum of five (5) days in Out-of-School Suspension (O.S.S.). A conference will be held with the parent, student, and appropriate staff.

D. **CLASSROOM/LABORATORY SAFETY**

1. Classroom/laboratories include but are not limited to Science, Family and Child Development, Design for Everyday Living, Vocational and Technology Shops, Art, Physical Education and all other classrooms.

A000000724

2. Violation of laboratory safety practice shall include any actions which endanger oneself or others.
 - a. First Offense - student will be removed from one laboratory class. No credit will be given for the lab/class for that day. A "0" will be given for the class. Saturday Detention will be assigned. A conference will be held with parent, student, and appropriate staff.
 - b. Second Offense - student will be given three (3) days in Program for After-School Suspension (P.A.S.S.). No credit will be given for the lab/class for that day. Students will be referred to Student Assistance Program (SAP). A conference will be held with parent, student, and appropriate staff.
 - c. Third Offense - student will be given three (3) to ten (10) days Out-of-School Suspension (O.S.S.). No credit will be given for the lab/class for that day. Referral to Alternative Education. A conference will be held with parent, student, and appropriate staff.

If a violation is very serious, the student is removed from the laboratory and will be treated either as a second or third offense. A conference will be held with the parent, student, and appropriate staff.

E. COMPUTER MISUSE – a student's use of the District's computers and Internet resources is a privilege, not a right. In addition to the following requirements, students are required to abide by the rules and regulations set forth in the District's "Computer/Internet Acceptable Use Policy." Students, and their parents/guardians, are notified of the contents of the "Computer/Internet Acceptable Use Policy" at the start of each school year and its contents are hereby incorporated by reference in this Discipline Policy. The disciplinary consequences for a violation of the Computer/Internet Acceptable Use Policy are as follows:

1. Students will be notified of each alleged violation of the Computer/Internet Use Policy and will be given an opportunity to respond to the allegation.
2. Depending on the severity of the violation of the Computer/Internet Acceptable Use Policy, students face disciplinary consequences ranging from warning to loss or privilege of use of the Internet/District computers to one of the following:
 - a. First Offense - any student caught in files other than his/her own, attempting to break into files, or otherwise violating the School District Internet Acceptable Use policy will be assigned a minimum of five (5) days in Program for After-School Suspension. (P.A.S.S.). A conference will be held with the parent, student, and appropriate staff.
 - b. Second Offense - student will be assigned three (3) to five (5) days O.S.S. Charges may be filed with the appropriate law enforcement agencies. A conference will be held with the parent, student, and appropriate staff.

A000000725

- c. Third Offense - student will be assigned five (5) to ten (10) days of Out-of-School Suspension. A conference will be held with the parent, student, and appropriate staff. Charges may be filed with the appropriate law enforcement agencies. Possible referral to Board of Education for further discipline up to and including expulsion. Possible loss of the privilege to use District computers and/or Internet resources.
 3. Suspicion of a student's illegal use of the Internet or District computers, such as copyright violations, theft of services, using the system to publish defamatory statements, may be reported to the appropriate legal authorities for possible prosecution.
 4. Students are responsible for damages to the equipment, systems, and software resulting from deliberate or willful acts.
- -
- F. DETENTION - Failure to report** - According to policy regarding detention, depending upon the offense, a student may also be assigned for more than one detention.
- The above reasons for detention will be used whether or not a student walks or rides a school bus. Where a student rides a school bus, the parent must make other provisions for the transportation after detention. A twenty-four (24) hour notification will be given to parents so that arrangements may be made for proper transportation.
- Students will not be kept in detention nights when weather creates a hazard to their health and/or safety.
- The student will be assigned a date for detention. Failure to serve the detention will result in Administrative Detention, Saturday Detention or three (3) days in P.A.S.S.
- G. DISORDERLY CONDUCT** - fighting, threatening, engaging in violent behavior, making unreasonable noise, using obscene language or gestures, creating a hazardous or physically offensive condition for no legitimate reason, for the purpose of creating public inconvenience, annoyance, or alarm.
1. First Offense - minimum five (5) days Out-of-School Suspension (O.S.S.) for all involved. Referral to Student Assistance Program (SAP). A conference will be held with parent, student, and appropriate staff. Charges may be filed with the appropriate law enforcement agencies.
 2. Second Offense - ten (10) days Out-of-School Suspension (O.S.S.) for all involved. A conference will be held with parent, student, and appropriate staff. Charges will be filed with the appropriate law enforcement agencies. Referral to the Alternative Education Program.
 3. Third Offense -ten (10) days Out-of-School Suspension (O.S.S.). Recommendation for Alternative Education Program. A conference will be held with parent, student, and appropriate staff. Charges will be filed with the appropriate law enforcement agencies. Depending on the severity of the

A000000726

behavior, student may be referred to the Board of Education of the School District of the City of Erie for discipline up to and including expulsion.

H. **DISREPECT** – a lack of respect or deference shown by a student to the authority or position of a District official or employee.

1. First Offense - one (1) Saturday Detention. Parent contact will be made via a telephone call or written notice.
2. Second Offense - minimum three (3) days Program for After-School Suspension Program (P.A.S.S). Referral to Student Assistance Program (SAP). A conference will be held with the parent, student, and appropriate staff.
3. Third and Succeeding Offense - minimum of three (3) to five (5) days Out-Of-School Suspension Program (O.S.S.). A conference will be held with the parent, student and appropriate staff.

I. **ELECTRONIC DEVICES** - telephone pagers, cellular phones, head phones, radios, video games or similar devices.

1. The possession or use of telephone pagers or cellular phones on school grounds, in school vehicles, and at school-sponsored activities is prohibited. Such devices will be confiscated by an administrator. Confiscated devices may be returned to a parent/guardian.
 - a. First Offense - After-School Detention. Parent to pick up the electronic device. A conference will be held with the parent, student, and appropriate staff.
 - b. Second Offense - Saturday Detention. Parent to pick up the electronic device. A conference will be held with the parent, student, and appropriate staff.
 - c. Third and Succeeding Offense - three (3) days Program for After-School Suspension (P.A.S.S.). Parent to pick up the electronic device, A conference will be held with the parent, student, and appropriate staff.
2. Headphones/radios and video games are not to be used or worn in school. (NOTE: Some schools permit students to wear headphones/radios to school. Students are requested to remove such items upon entrance to the building and immediately place them in their personal lockers until they leave the building at the end of the day.) If a student is guilty of this offense, the headphone, radio or video game will be confiscated and kept in the office. An immediate conference will be held with parent, student, and appropriate staff, and the article may be returned to the parent.

A000000727

J. ENDANGERMENT (ARSON, BOMB THREAT, RIOT AND OTHER RELATED ACTIONS) - deliberate conduct which recklessly causes another person to be placed at risk of death or serious injury.

1. **ARSON** - the deliberate starting of a fire or explosion, or helping, asking, or telling another person, to start a fire or explosion, which could or does place property in danger of being damaged or a person (including a fire fighter) in danger of injury.

Disciplinary consequence: Any student found guilty of setting a fire or assisting in setting a fire on school property will receive ten (10) days of Out-of-School Suspension and arson charges will be filed with the appropriate law enforcement agencies against her/him by the School District of the City of Erie. The student will be recommended for an Alternative Education Program or will be referred to the Board of Education of the School District of the City of Erie for discipline up to and including expulsion. A conference will be held with the parent, student, and appropriate staff. Restitution must be made.

2. **BOMB THREAT** - a threat to detonate an explosive device or a statement that such a device is located in a place where explosion may cause injury to people or damage to property, made to public or school authorities, regardless of whether such an explosive device exists. (NOTE: This does not include informing public or school authorities of such threats or statements made by another person for the purpose of allowing such authorities to take appropriate safety precautions.)

Disciplinary consequence: Any student found guilty of making a bomb threat or other serious related activities will be filed with the appropriate law enforcement agencies against her/him by the School District of the City of Erie. The student will be referred to the Board of Directors of the School District of the City of Erie for discipline up to and including expulsion. A conference will be held with the parent, student and appropriate staff. Charges must be filed with the appropriate law enforcement agencies.

3. **RIOT** - disorderly conduct by three or more persons for the purpose of committing or facilitating the commission of a crime, for the purpose of preventing or coercing official actions, or when the actor knows a firearm or deadly weapon will be used.

Disciplinary consequence: Any student found guilty of inciting or participating in a riot will be given ten (10) days Out-of-School Suspension (O.S.S.) with a recommendation for an Alternative Education Program or will be referred to the Board of Education of the School District of the City of Erie for discipline up to and including expulsion. Charges will be filed with the appropriate law enforcement agencies. A conference will be held with the parent, student, and appropriate staff.

A000000728

4. **SETTING OFF FALSE FIRE ALARMS -**

Disciplinary consequence: Any student found guilty of setting off a false fire alarm will receive ten (10) days of Out-of-School Suspension (O.S.S.) and charges will be filed with the appropriate law enforcement agencies against her/him. The student will be recommended for an Alternative Education Program or will be referred to the Board of Education of the School District of the City of Erie for discipline up to and including expulsion. A conference will be held with the parent, student, and appropriate staff. Restitution must be made.

5. **TAMPERING WITH FIRE EXTINGUISHERS -**

Disciplinary consequence: Any student found guilty of tampering with a fire extinguisher will receive a minimum of ten (10) days of Out-of-School Suspension (O.S.S.) and will be required to pay the cost of refilling it. The student will be recommended for an Alternative Education Program or will be referred to the Board of Education of the School District of the City of Erie for discipline up to and including expulsion. A conference will be held with the parent, student, and appropriate staff. Charges will be filed with the appropriate law enforcement agencies.

K. EXTORTION - to obtain money, property or articles by threat or force. Depending on the severity of the incident, extortion will result in a penalty which may range from a minimum of five (5) to ten (10) days Out-of-School Suspension to recommendation for placement in an Alternative Education Program to referral to the Board of Education of the School District of the City of Erie for discipline up to and including expulsion. Charges will be filed with the appropriate law enforcement agencies. Restitution must be made. A conference will be held with the parent, student, and appropriate staff.

L. FALSE I.D. - intending to deceive by giving wrong identification.

1. First Offense - Saturday Detention. A conference will be held with the parent, student, and appropriate staff.
2. Second Offense - three (3) days Program for After-School Suspension (P.A.S.S.). Referred to the Student Assistant Program (SAP). A conference will be held with the parent, student, and appropriate staff. Charges may be filed with the appropriate law enforcement agencies.
3. Third Offense - five (5) days Program for After-School Suspension (P.A.S.S.). A conference will be held with the parent, student, and appropriate staff. Charges may be filed with the appropriate law enforcement agencies.

A000000729

M. FIGHTING - any physical conflict between two or more persons.

1. First Offense - minimum three (3) days Out-of-School Suspension (O.S.S.) for all involved. Referral to Student Assistance Program (SAP). A conference will be held with parent, student, and appropriate staff.
2. Second Offense - minimum five (5) to ten (10) days Out-of-School Suspension (O.S.S.) for all involved. Referral to Student Assistance Program (S.A.P.). A conference will be held with parent, student and appropriate staff. Possible referral for Alternative Education Program. Charges may be filed with the appropriate law enforcement agencies.
3. Third Offense - ten (10) days Out-of-School Suspension (O.S.S.) and recommendation for Alternative Education Program will be referred to the Board of Education of the School District of the City of Erie for discipline up to and including expulsion. A conference will be held with parent, student, and appropriate staff. Charges will be filed with the appropriate law enforcement agencies.

Interference - Any student who interferes with a staff member trying to stop a fight will be treated as if fighting. Charges may be filed. A parent conference will be held during these days of suspension.

Agitate, Instigate, Intimidate, Rumor, Threaten - Any student provoking a fight - that is, agitating, instigating, intimidating, or spreading rumors so as to cause a fight, or threatening another student or any school personnel - will be dealt with in a similar manner as if fighting. Charges may be filed with the appropriate law enforcement agencies.

N. FORGERY - falsely and fraudulently making or altering a writing or other instrument.

1. First Offense - Saturday Detention. A conference will be held with the parent, student and appropriate staff.
2. Second Offense - three (3) days Program for After-School Suspension (P.A.S.S.). Referred to Student Assistance Program (SAP). A conference will be held with the parent, student, and appropriate staff.
3. Third and Succeeding Offense - minimum five (5) days Out-of-School Suspension (O.S.S.). A conference will be held with the parent, student and appropriate staff. Charges may be filed with the appropriate law enforcement agencies.

O. GAMBLING - the making of any bet or wager and/or the organization of or participation in any lottery, numbers game, pool, or bookmaking for money or property.

1. First Offense - Saturday Detention. A conference will be held with the parent, student, and appropriate staff.

A000000730

2. Second Offense - three (3) days Program for After-School Suspension (P.A.S.S.). Referred to Student Assistance Program (SAP). A conference will be held with the parent, student and appropriate staff. Charges may be filed with the appropriate law enforcement agencies.
 3. Third and Succeeding Offense - minimum three (3) to five (5) days Out-of-School Suspension Program (O. & S.). Referred to Student Assistance Program (SAP). A conference will be held with the parent, student, and appropriate staff. Charges may be filed with the appropriate law enforcement agencies.
- P. **HARASSMENT** - Harassment is a form of discrimination prohibited by federal and state law. Harassment includes, but is not limited to, unwelcome and offensive slurs, jokes or other verbal, graphic or physical conduct relating to an individual's race, color, religion, ancestry, national origin, age or handicap/disability which are so severe or pervasive in nature that they create, or pose a realistic threat of creating, an intimidating, hostile, disruptive or offensive educational environment. Harassment of and by students is not tolerated within the District. (Sexual harassment is further defined, below.)
- a. First Offense - Saturday Detention will be assigned. May be referred for Peer Mediation/ Conflict Resolution. Parent contact will be made.
 - b. Second Offense - minimum three (3) days Out-of-School Suspension (O.S.S.). Referred to Student Assistance Program (SAP). Charges will be filed with the appropriate law enforcement agencies. A conference will be held with parent, student, and appropriate staff.
 - c. Third Offense - minimum five (5) days Out-of-School Suspension (O.S.S.). Referred to Student Assistance Program (SAP). A conference will be held with parent, student, and appropriate staff. Charges may be filed with the appropriate law enforcement agencies. Depending in the severity of the harassing behavior, the student may be referred to the Board of Director's of the School District of the City of Erie for discipline up to and including expulsion.

Depending on severity, charges may be filed at any time.

SEXUAL HARASSMENT - any words, gestures, or conduct of a sexual nature, including sexual advances and requests for sexual favors, which the actor knows or should know are unwelcome by the person to whom they are directed.

- a. Sexual harassment is a form of sex discrimination prohibited by Titles VII and IX of the Civil Rights Act of 1964, as amended, and the Pennsylvania Human Relations Act. The following behavior constitutes prohibited sexual harassment for purposes of this policy:
 - (1) unwelcome sexual advances, or
 - (2) requests for sexual favors, or

A000000731

- (3) other unwelcome verbal or physical conduct of a sexual nature, where
 - (a) submission to such conduct is explicitly or implicitly required of the recipient; or
 - (b) submission to or rejection of such conduct is used as the basis of school or work related decisions affecting the recipient; or
 - (c) such conduct has the purpose or effect of unreasonably interfering with the recipient's work or school performance or of creating an intimidating, hostile, or offensive working or learning environment.

b. Consequences of Violation of Policy

Any student in this District who is found to have engaged in conduct constituting sexual harassment may be **SUBJECT TO DISCIPLINE RANGING FROM A MINIMUM OF FIVE (5) DAYS IN THE OUT-OF-SCHOOL SUSPENSION PROGRAM (O.S.S.) TO AND INCLUDING EXPULSION. Charges will be filed.** In addition, any student found to have violated this policy may be required to participate in educational activities related to sexual harassment as part of any discipline imposed. Determination of the appropriate disciplinary sanctions or educational requirements shall be based upon the circumstances of the individual case, after considering the following factors among others:

- (1) Severity of the misconduct.
- (2) Pervasiveness or persistence of the misconduct.
- (3) Effect on the victim or victims.
- (4) Intent of the perpetrator.

Q. INSUBORDINATION - outright refusal to obey a directive from any staff member after repeated attempts have been made to encourage student to comply without disciplinary action being initiated.

- 1. First Offense - one (1) Saturday Detention. Parent contact will be made via a telephone call or written notice.
- 2. Second Offense - minimum three (3) days Program for After-School Suspension Program (P.A.S.S). Referral to Student Assistance Program (SAP). A conference will be held with the parent, student, and appropriate staff.

A000000732

3. Third and Succeeding Offense - minimum of three (3) to five (5) days Out-Of-School Suspension Program (O.S.S.). A conference will be held with the parent, student and appropriate staff.
- R. **LOITERING** – to hang around, to lag behind, to aimlessly stop or pause without legitimate purposes to remain on school property after repeated requests to vacate premises by school personnel.
1. First Offense - one (1) Saturday Detention will be assigned. Parent contact.
 2. Second Offense - minimum three (3) days Out-of-School Suspension Program (O.S.S.). Charges may be filed with the appropriate law enforcement agencies. A conference will be held with the parent, student and appropriate staff.
 3. Third and Succeeding Offenses - minimum of five (5) days Out-of-School Suspension (O.S.S.). Charges may be filed with the appropriate law enforcement agencies. A conference will be held with the parent, student, and appropriate staff.
- S. **PROFANE, VULGAR LANGUAGE OR GESTURES**--language or gestures which are crude, course, gross, or irreverent and inappropriate for the educational setting
1. First Offense - Saturday Detention will be assigned. Parent contact will be made via a telephone call or written notice.
 2. Second Offense - minimum three (3) days Program for After-School Suspension (P.A.S.S.). Referral will be made to Student Assistance Program (SAP). A conference will be held with parent, student, and appropriate staff.
 3. Third Offense - minimum of three (3) days of Out-of-School Suspension (O.S.S.). A conference will be held with parent, student, and appropriate staff.
- T. **SMOKING** - the use or possession of tobacco or tobacco products, on any part of school property, including school buses. Tobacco is defined as "a lighted or unlighted smoking product and smokeless tobacco in any form." (18 Pa. C.S.A. 6306.1)
1. First Offense - Saturday Detention. A conference will be held with parents, student, and appropriate staff. Charges will be filed with the District Justice. Fine plus court costs. (Section 28.3 of the Fire Code, 18 Pa. C.S.A. 6306.1)
 2. Second Offense - three (3) days Program for After-School Suspension (P.A.S.S.). A conference will be held with parent, student, and appropriate staff. Charges will be filed with the District Justice. Fine plus court costs. (Section 28.3 of the Fire Code, 18 Pa. C.S.A. 6306.1)
 3. Third and Succeeding Offense - minimum three (3) to five (5) days Program for After-School Suspension (P.A.S.S.). A conference will be held with parent,

A000000733

student, and appropriate staff. Charges will be filed with the District Justice. Fine plus court costs. (Section 28.3 of the Fire Code, 18 Pa. C.S.A. 6306.1)

Any student who serves as a "look-out" will be treated as if smoking.

U. **STEALING** - Depending on the severity of the incident, the penalty shall range from a minimum of three (3) to five (5) days Out-of-School Suspension (O.S.S.) to referral to the School Board for expulsion. "Stealing" is defined as follows:

1. Taking the property of another without the intent of returning the property to the owner.
2. Obtaining possession of the property of another by deception, extortion, or blackmail without the intent of returning the property to the owner.
3. Failing to return or make reasonable efforts to return property to its owner, or to turn found property in at an appropriate "lost and found".
4. Taking possession of property one knows or has reason to know is stolen, without the intent of returning it to the owner.

Charges may be filed with the appropriate law enforcement agencies. The student shall make restitution for article(s) stolen. A conference will be held with parent, student, and appropriate staff.

V. **STUDENT DRESS**

1. The following regulations regarding student dress generally apply to all District schools which have not adopted the Mandatory Dress Code policy:

Though an individual's dress and adornment/appearance is a matter of personal preference and choice, certain styles of dress/appearance are not appropriate for school for the health, safety, welfare, morals and rights of students and staff. Students will be required to change inappropriate clothing or appearance or be sent home to do so and return. For this reason, the following guidelines are established:

1. Wear clothes that are not revealing or suggestive, such as see-through blouses, halter tops, tank tops, bare midriffs, cutoffs.
2. Wear clothing, jewelry, and other accessories which do not promote, encourage, or depict any form of drugs (including alcohol), obscene, suggestive or vulgar language or action, or cults.
3. Wear clothing, jewelry, and accessories which do not signal membership in a gang.
4. Wear pants which are secure around the waist.

A000000734

5. Wear clothing which will not cause harm to another person, damage to property, or create an unsafe environment.
6. Wear shorts and skirts of reasonable length and style.
7. Outdoor clothing or accessories such as coats, hats, bandanas, gloves, picks and the like may not be worn.
8. Students must wear shoes in school.
9. Failure to follow these rules will result in the following disciplinary actions:
 - a. First Offense - one (1) After-School Detention will be assigned. Student must change clothes. Contact will be made with the parent.
 - b. Second Offense - Saturday Detention will be assigned. The student must change clothes. A conference will be held with the parent; student, and appropriate staff.
 - c. Third Offense - minimum of three (3) to five (5) days in the Program for After-School Suspension (P.A.S.S.) will be assigned. The student must change clothes. A conference will be held with the parent, student, and appropriate staff.

The administration may impose additional limitations on dress and/or appearance if the attire or appearance causes a disruption of the educational process or constitutes a health or safety hazard.

2. The following regulations regarding student dress apply to those District schools which adopted the Mandatory Dress Code policy:

- a. GUIDELINES:

- (1) BOYS shall wear:

- (a) **Pants**, in colors of solid black, gray, navy blue or khaki, which must be "dress" or "docker" in style and be worn or belted at the waist.
 - (b) **Shirts**, in solid white or each respective school's official "school color," as approved by the Superintendent. Shirts must be oxford, polo or turtleneck style with sleeves (short or long) and collar. Shirts must be tucked into the pants at all times.
 - (c) **Optional**, sweaters (v-neck or cardigan), blazer, suit jacket or vest, to be worn over shirt, in colors of solid white or

A000000735

each respective school's official "school color," as approved by the Superintendent.

(2) GIRLS shall wear:

- (a) **Pants**, in colors of solid black, gray, navy blue or khaki, which must be "dress" or "dicker" in style and be worn or belted at the waist, or **skirts or jumpers**, in colors of solid black, gray, navy blue or khaki which are knee length and worn or belted at the waist.
- (b) **Shirts**, in solid white or each respective school's official "school color," as approved by the Superintendent. Shirts must be oxford, polo or turtleneck style with sleeves (short or long) and collar. Shirts must be tucked into the pants at all times.
- (c) **Optional**, sweaters (v-neck or cardigan), blazer, suit jacket or vest, to be worn over shirt, in colors of solid white or each respective school's official "school color," as approved by the Superintendent.

b. **EXCEPTIONS:** Exceptions to the mandatory dress code will be made on a case by case basis in order to accommodate bona fide religious beliefs and special health conditions.

c. **DISCIPLINE FOR DRESS CODE VIOLATIONS:**

- (1) First Offense: Meeting with the school counselor regarding requirements of school dress code; verbal warning; telephone conference with parents.
- (2) Second Offense: Second verbal warning; after-school detention; telephone conference with parents.
- (3) Third Offense: Third verbal warning; after-school detention; telephone conference with parents at which they are counseled that they have the choice to exercise the opt-out provision and enroll their child in a school which has not implemented a dress code.
- (4) Fourth Offense: Suspension and, for subsequent violations, possible referral to the School board for discipline up to and including expulsion.

Notwithstanding the above provisions, the administration may impose additional limitations on dress and/or appearance if the attire or appearance causes a disruption of the educational process or constitutes a health or safety hazard.

A000000736

W. STUDENT PARKING --

Student parking is permitted only in areas designated "student parking."

1. Students are prohibited from parking in spaces designated for teacher parking. Students will have their cars towed. Parents will be contacted.
2. Loitering in the parking areas is not permitted.
 - a. First Offense - Saturday Detention. A conference will be held with the parent, student, and appropriate staff.
 - b. Second Offense - three (3) days Program for After-School Suspension (P.A.S.S.). Charges may be filed. A conference will be held with the parent, student, and appropriate staff.
 - c. Third Offense - Three (3) to five (5) days in the Program for After-School Suspension (P.A.S.S.) will be assigned. Charges may be filed. A conference will be held with the parent, student, and appropriate staff.

X. STUDENT TRANSPORTATION --

The following subsection outlines what is expected of students who ride any Erie Metropolitan Transit Authority bus or school bus.

1. Behavior on the bus/vans.

Because the driver must keep his attention upon street/highway and the operation of the bus, it is necessary for students to be well behaved. Therefore the following regulations shall be strictly enforced:

- a. No student shall throw any objects or substances in or around the bus.
- b. No student shall use loud or profane language in or around the bus.
- c. No student shall indulge in pushing, fighting, or other unruly behavior in or around the bus.
- d. No student shall deliberately destroy, abuse, or otherwise show disrespect for the driver of the vehicle.
- e. All students shall remain seated at all times while on the bus. Aisles must be kept clear.
- f. No student shall deliberately mar, deface or tamper with any part of the vehicle. Damage will be paid by the individual. Charges may be filed.
- g. There shall be no smoking in or around the vehicle at any time. Lighting of matches or lighter in or around the bus is prohibited.

A000000737

- h. There shall be no drinking of pop or any other beverage on the bus unless permitted by the driver.
 - i. There shall be no littering from the bus.
 - j. Students shall be courteous to fellow pupils.
2. **Behavior at bus stop.**
- a. Students shall use good safety practices.
 - b. Students shall remain in designated area, arriving no earlier than ten (10) minutes. The rights of property owners in the vicinity must be respected.

All bus incident reports will be filed with the Principal who will take appropriate action per written school code. Repeat offenders will be denied bus privileges. Charges may be filed.

Y. TERRORISTIC THREATS/TERRORISTIC ACTS--

The following definitions apply as used in this section:

"Terroristic threats" are threats to commit any crime of violence to another or to cause evacuation of a building, place of assembly or facility or to cause serious public inconvenience, or in reckless disregard of the risk of causing such terror or inconvenience.

"Terroristic acts" are offenses against property or involving danger to another person.

Any student who communicates a terroristic threat to or commits a terroristic act directed at any student, teacher, administrator, any other employee of the District, Board member, community member, or toward any school building shall be given Out-of-School Suspension (O.S.S.) and will be referred to the Board of Education of the School District of the City of Erie for discipline up to and including expulsion from the District. The student's violation of this terroristic threat/terroristic act policy will immediately be reported to her or his parents. A conference will be held with the student's parents. Charges must be filed with the appropriate law enforcement agencies.

NOTE: Any parent or guardian of a District student who communicates a terroristic threat to or commits a terroristic act directed at any student, teacher, administrator, any other employee of the District, Board member, community member, or toward any school building shall be immediately escorted off School District property and local law officials will be notified. The parent or guardian or individuals will be notified that he or she has lost the privilege of entering school property and of attending any school-related functions to which parents or guardians are invited to attend.

A000000738

- Z. TRESPASSING - to enter or remain in or on property, knowing or having reason to know that one is not permitted to enter or remain.

A student found trespassing will be given a minimum of three (3) to five (5) days Out-of-School Suspension (O.S.S.). Charges will be filed with the appropriate law enforcement agencies. A conference will be held with the parent, student, and appropriate staff.

AA. UNAUTHORIZED SUBSTANCES (ILLEGAL DRUG POLICY)--

1. Definitions:

- a. Illegal Alcohol - any malt, brewed, or distilled beverage, the purchase or possession of which by a person under twenty-one years of age is prohibited by Pennsylvania State Law.
- b. Illegal Drug -
 - (1) Any substance (other than food) which affects the structure or function of the human body when introduced into the body by ingestion, injection, inhalation, or any other means; the possession, delivery, or use of which is prohibited by Pennsylvania and/or Federal Law, unless prescribed by a physician or licensed by the state or federal government to possess, deliver, or use such substances.
 - (2) Any legal substance not intended for introduction into the human body, but which when introduced into the body affects the structure or function of the human body; which is possessed for the purpose of introduction into the body; and the introduction into the body of such substance is prohibited by Pennsylvania or Federal Law (such as solvents).
- c. "Look-alike" drugs/substances - any substance that substantially resembles or is meant to represent any illegal drug or unauthorized substance.
- d. Misrepresentation - any attempt to distribute a substance which has been inaccurately described or implied to the receiver as an unauthorized substance.
- e. Paraphernalia - tools or equipment whose function is to aid a user in consuming or selling any type of drug, controlled substance, or alcohol or any other unauthorized substance.
- f. Possession - student in possession of unauthorized substances found on the person of the student; in the student's locker; under the student's

A000000739

control while he/she is on school property, on property being used by the school, at any school function or activity, at any school event held away from the school; or while the student is on his/her way to or from school.

- g. Use (of an unauthorized substance) – either the actual use during school or being under the influence during school hours or at school-sponsored activities after school hours or use prior to arrival at school which evidences itself by strong odor or any unusual behavior.
- h. Unauthorized substances – shall include but are not limited to alcohol, illegal drugs, controlled substances, non-prescription drugs and prescription drugs which are being used in an abusive or unlawful manner or in a manner for which they were not intended or prescribed, anabolic steroids, look-alike drugs/substances and any substance which is intended to alter mood.

2. **Disciplinary consequences for violating Unauthorized Substances provisions:**

a. **Possession and/or Use of an Unauthorized Substance--**

- (1) First Offense – required notification of parent/guardian and an informal hearing held. In case of a violation involving a controlled or illegal substance, the police shall be notified within 24 hours. Suspension for ten (10) school days. Student must have a Drug/Alcohol assessment and follow recommendations until discharged. Required referral to Student Assistance Team and possible referral to alternative education.
- (2) Second and Subsequent Offenses – required notification of parent/guardian. In the case of a violation involving a controlled or illegal substance, the police shall be notified within 24 hours. Ten days out of school suspension. Referral to alternative education and possible referral to the Board of Directors for discipline up to and including expulsion.

b. **Possession of an Unauthorized Substance with the Intent to Deliver--**

- (1) Any Offense – required notification of parent/guardian. In the case of a violation involving a controlled or illegal substance, the police shall be notified within 24 hours. Ten days out of school suspension. Referral to alternative education and possible referral to the Board of Directors for discipline up to and including expulsion.

A000000740

c. **Misrepresentation of an Unauthorized Substance--**

- (1) First Offense – required notification of parent/guardian and an informal hearing held. Suspension for up to ten (10) days. Required referral to Student Assistance Team.
- (2) Second and Subsequent Offenses – required notification of parent/guardian. Ten days out of school suspension. Referral to alternative education and possible referral to the Board of Directors for discipline up to and including expulsion.

d. **Possession of paraphernalia--**

- (1) First Offense – required notification of parent/guardian and an informal hearing held. In the case of a violation involving a controlled or illegal substance, the police shall be notified within 24 hours. Suspension for ten (10) school days. Required referral to Student Assistance Team and possible referral to alternative education.
- (2) Second and Subsequent Offense – required notification of parent/guardian. In the case of a violation involving a controlled or illegal substance, the police shall be notified within 24 hours. Ten days out of school suspension. Referral to alternative education and possible referral to the Board of Directors for discipline up to and including expulsion.

NOTE: Nothing in this provision relating to the prohibition of using, possessing, delivering or misrepresenting unauthorized substances is intended to nullify the procedures followed by the District regarding student use of medication.

The Board of School Directors and/or the administration retain the discretion to waive or amend the penalties associated violating the Unauthorized Substance provisions of this policy on a case by case basis.

BB. VANDALISM - deliberate, or reckless destruction, damage or defacement of property.

INSTITUTIONAL VANDALISM - vandalism of any school, educational facility, community center, church, synagogue, or other place used for religious worship or purposes; cemetery, mortuary, or other place used for the burial or memorializing of the dead; the grounds adjacent to and owned by such places; any property located within such place.

Depending on the severity of the incident, any student found defacing or destroying school or personal property shall be given a minimum of three (3) to ten (10) days in

A000000741

Out-of-School Suspension (O.S.S.). During this time, arrangements must be made for the student to make restitution or repair all damages. A conference will be held with the parents, student, and appropriate staff members. Charges may be filed with the appropriate law enforcement agencies. The administration has the discretion, based on the severity and nature of the offense, to refer the student to Alternative Education or refer the student to the Board of Education of the School District of the City of Erie for discipline up to and including expulsion from the District.

- CC. WEAPONS** - shall include, but not be limited to any of the following or any replica or look-alike of the following: guns; firearms; knives; metal knuckles; straight razors and razor blades; noxious, irritating or poisonous gases, including mace and pepper spray; poisons; explosive materials; bombs; missiles; chains; metal objects or any other object designed for protection or designed to harm others; or any object intended by the student to do bodily injury or threat of-bodily injury to another.

Students are strictly prohibited from bringing, carrying, using, concealing, or possessing weapons, or any replica or look-alike object thereof, on school property, at any school-sponsored activity, or on any public conveyance providing transportation to a school or school-sponsored activity. **Any student found in possession of or bringing, carrying, using or concealing a weapon or any replica or look-alike thereof, on school property, at any school-sponsored activity or on any public conveyance providing transportation to a school or school-sponsored activity will be given ten (10) days Out-of-School Suspension (O.S.S.) and referred to the Board of Education of the School District of the City of Erie for immediate expulsion for a period of not less than one (1) year. THIS IS ZERO TOLERANCE.** However, the Superintendent may recommend modifications of this expulsion requirement for a student on a case by case basis.

The Superintendent shall, in the case of an exceptional student, take all steps necessary to comply with the Individuals with Disabilities Education Act, 20 U.S.C. §1400 *et seq.*

Charges will be filed with the appropriate law enforcement agencies. A conference will be held with the parent, student, and appropriate staff. The Superintendent shall report the discovery of possession of any weapon on school property, school-sponsored activities, or on public conveyances providing transportation to a school or school-sponsored activity to the Department of Education.

DD. WEAPONS SEARCH WITH A METAL DETECTOR--

1. Signs will be posted to warn the students that each student may be required to submit to a screening for metal as a condition of entering or continuing attendance at school. The screening will be conducted by staff of the School District of the City of Erie.
2. When a metal detector is being used, students will be allowed to use only the entries designated. If a metal detector activates on a student, the student will be asked to remove metal objects from his or her person and walk through or be

A000000742

scanned again. If metal detector activates a third time on the student after the removal of other metal will be taken to a room out of view from the other students and subjected to a "pat down" search or search with a hand-held metal detector under the procedures set forth in Paragraphs 4 through 7.

3. School personnel may inspect the contents of any briefcase, knapsack, purse, or parcel which activates the metal detector for the limited purpose of determining whether a weapon is concealed therein. School personnel may not inspect briefcases, knapsacks, purses, or parcels in which a weapon could not be concealed, and may not examine written materials.
4. A "pat down" search conducted by school personnel shall be a limited feeling of the student's outer clothing for the purpose of discovering only items which may have activated the metal device.
5. If the school personnel conducting a "pat down" search feel an object which may have activated the metal detecting device, the student will be asked to remove such object. If the student declines to remove the object, it may then be removed by school personnel.
6. If the object removed from the student could have activated the metal detector, the school personnel must cease performing the "pat down" search. In such event, a student will be subjected to a search with a hand-held metal detector and the "pat down" search will be continued only if the device again yields a positive reading.
7. Under all circumstances, the "pat down" search will be conducted by school personnel of the same sex as that of the student.
8. All property removed from the student as a result of the above procedure which may be legitimately brought onto school premises will be returned to the student.
9. Property removed from the student, possession of which is violation of the Policy on Discipline and Student Rights, shall be confiscated and the student shall be disciplined in accordance with the Code of Student Conduct.
10. Students who fail to cooperate with school personnel performing their duties under these procedures may be subject to discipline for insubordination.
11. Nothing in the procedures set forth above shall limit the authority of school officials to search a student when there is reasonable suspicion to believe that a particular student is in violation of any District rule or regulation or any local State or Federal law.

NOTE: School personnel include police personnel hired by the Erie School District.

EE. ZERO TOLERANCE - any violation of the district's policy concerning assault/physical acts of violence, weapons or terroristic threats/terroristic acts will result in the student's immediate suspension from the school. The student will be

A000000743

referred to the Board of Education of the School District of the City of Erie for discipline up to and including expulsion for a period of not less than one year. Charges must be filed with the appropriate law enforcement agencies.

A000000744

GLOSSARY

Adjudication - When the school board hears and decides the disciplinary consequence for a student's violation of school rules.

Absence - The failure of a student to attend school on those days and half days and hours school is in session.

Agitate - Excite, disturb, stir up, or arouse.

Arson - The deliberate starting of a fire or explosion, or helping, asking, or telling another person to start a fire or explosion, which could or does place property in danger of being damaged or a person (including a fire fighter) in danger of injury.

Assault - The deliberate or reckless attempt to cause or the actual causing of physical pain or injury to another or the deliberate or reckless attempt by physical menace to put another in fear of imminent physical pain or injury.

Attendance - The presence of a student on days school is in session.

Bomb Threat - A threat to detonate an explosive device or statement that such a device is located in a place where explosion may cause injury to people or damage to property, made to public or school authorities, regardless of whether such an explosive device exists.

Cheat - Deceive, deprive by fraud, pretend, or obtain property by distortion of the truth, swindle, or aiding the above.

Chronic Behavior - Frequent recurrence of negative behavior.

Class Cut - Absence from class without the knowledge and written permission of the teacher.

Computer Misuse - Failure to follow the rules and regulations of the District's "Computer/Internet Acceptable Use Policy," including the unauthorized entry into or use of files of another.

Detention - (After-School) - Form of discipline assigned by an administrator, forty (40) minutes in length. A student must use this time to work or read quietly.

- **(Saturday)** - Form of discipline assigned by an administrator three hours in length. 9:00 a.m. until noon. A student must use this time to work or do academic reading quietly.

Disorderly Conduct - Fighting, threatening, engaging in violent behavior, making unreasonable noise, using obscene language or gestures, creating a hazardous or physically offensive condition for no legitimate reason, for the purpose of creating public inconvenience, annoyance, or alarm.

A000000745

Disrespect – A lack of respect or deference shown by a student to the authority or position of a District official or employee.

Drug Paraphernalia - Tools or equipment whose function is to aid a user in consuming or selling any type of drug, controlled substance or alcohol or any other unauthorized substance.

Electronic Devices - Telephone pagers, cellular phones, headphones, radios, video games, or similar devices.

Endangerment - Deliberate conduct which recklessly causes another person to be placed at risk of death or serious injury.

Excused Absence - Excused absence includes the absence of a student for any of the following reasons (S.C. 510:SS 1546):

1. Illness
2. Death in the family
3. Religious holidays and religious instruction (with religious instruction limited to a total of not more than 36 hours per school year).
4. Impassible roads
5. Emergency
6. Delay or absence of school bus
7. Educational tour/trip
8. Quarantine
9. Family vacation
10. Court appearance
11. College visitation
12. Junior/Senior excusal for interviews
13. Dental and Medical appointments
14. Home tutored instruction

Extortion - Obtaining money, property, or articles by threat or force.

False Identification - Intending to deceive by giving wrong identification.

Fighting - Any physical conflict between two or more persons.